

Exhibit F

Stephen Keefe 1/7/2003
Stephen Keefe v. Local 805, et al.

1

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MASSACHUSETTS

3 CIVIL ACTION NO. 01-10194-DPW

4 - - - - -
5 STEPHEN KEEFE,

6 Plaintiff,

7 v.

8 LOCAL 805, INTERNATIONAL

9 LONGSHOREMEN'S ASSOCIATION AFL-CIO,

10 LOCAL 800, LOCAL 799,

11 Defendants.
12 - - - - -

13 Deposition of STEPHEN F. KEEFE, a witness
14 called by counsel for the Defendants, taken pursuant to
15 the applicable provisions of the Federal Rules of Civil
16 Procedure, before Rosemary F. Grogan, a Registered
17 Professional Reporter, CSR No. 112993, and Notary
18 Public in and for the Commonwealth of Massachusetts, at
19 the offices of Angoff, Goldman, Manning, Wanger &
20 Hynes, 45 Bromfield Street, Boston, Massachusetts, on
21 Tuesday, January 7, 2003, commencing at 11:40 a.m.
22

23 O'BRIEN & LEVINE COURT REPORTING SERVICES

24 (617) 254-2909

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10

1 A. No.

2 Q. Mr. Keefe, I would like to show you page 53
3 of your deposition on February 6th, 2002. And I want
4 you to read at page 53 into the record, lines 7 through
5 13.

6 MR. LATHROP: I'm sorry, what page was
7 that?

8 MR. McMAHON: 53, 7 through 13. I want to
9 get the transcript so I'll have it for me as well. Off
10 the record for a moment.

11 (Off Record Discussion)

12 MR. McMAHON: Back on the record, please.

13 BY MR. McMAHON:

14 Q. On page 53 in the prior transcript, I
15 asked: But in fact on May 24, 2000, you were working
16 as a longshore and also doing other work for
17 John T. Clark, isn't that true? Your answer was, Yes.

18 You were then asked: Are you still doing work
19 for John T. Clark other than longshore work? Your
20 answer was, No.

21 However, in fact, as of May 24, 2000, and right
22 up until today you're on the office payroll of
23 John T. Clark; isn't that true?

24 A. Yes.

11

1 Q. And you were available to do work as it's
2 assigned to you by John T. Clark Company; isn't that
3 true?

4 A. Yes.

5 Q. Again, if you would look at page 54, and
6 lines three to four, and it's poorly phrased for which
7 I apologize.

8 The question reads: Were you still continuing as
9 of May 25 to do it, work, for John T. Clark & Sons
10 other than longshore work? And your answer was, No.
11 Am I correct?

12 A. Yes.

13 Q. And again, you're on the office payroll of
14 John T. Clark for assignments other than longshore work
15 even up until today; isn't that true?

16 A. Yes.

17 Q. Are you aware that in order to be in
18 Gang 11 you must be working exclusively at the
19 longshore pier in Boston?

20 A. Yes.

21 Q. Now, are you still receiving health
22 insurance from John T. Clark and Company?

23 A. Yes.

24 Q. Are you eligible for the health insurance

12

1 provided through the B.S.A., I.L.A. contracts?

2 A. I didn't get a thousand hours. I think
3 it's a thousand hours.

4 Q. But you still receive the equivalent health
5 coverage?

6 A. From?

7 Q. From John T. Clark and Company.

8 A. I don't understand the question.

9 Q. Do you receive health insurance from the
10 John T. Clark Company?

11 A. Yes.

12 Q. What is the plan?

13 A. I don't know right offhand.

14 Q. Is that the same plan that your brother,
15 Timothy, is on?

16 A. It could be, yes.

17 Q. Do you have the card with you?

18 A. No.

19 Q. Now, at various times you reported to the
20 hiring hall in 1998 and 1999. Did you make notes of
21 each time you reported to the hiring hall?

22 A. Yeah.

23 Q. And are those notes part of your production
24 of documents earlier in this case?

13

1 A. Whatever you have there. (Indicating)

2 MR. McMAHON: May this be marked as -- You
3 want to continue with the same numbers?

4 MR. LATHROP: Yes, why don't you.

5 MR. McMAHON: This will be Deposition
6 Exhibit No. 19.

7 (Exhibit 19 Marked for Identification)

8 BY MR. McMAHON:

9 Q. Mr. Keefe, before I inquire, you have a
10 document before you and have had it since the
11 deposition began.

12 Can you identify that document?

13 A. It's for my lawyer.

14 Q. Can you describe the nature of the
15 document?

16 A. It's my W-2s.

17 Q. And you were requested earlier to produce
18 your W-2s; isn't that correct?

19 A. I don't remember.

20 Q. We'll get to that in a few minutes.

21 Mr. Keefe, you have before you Deposition Exhibit

22 19. Do you have any other notes other than the notes
23 that are reflected in SK 101 through SK 135 concerning
24 your appearance for work at the hiring hall?